



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

LETTER C

October 18, 2004

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Director of Planning

Mr. Michael Otavka
Director of Facilities
William S. Hart Union High School District
21455 Centre Pointe Parkway, Building B
Santa Clarita, CA 91350

**SUBJECT: Castaic High School Draft Environmental Impact Report
State Clearinghouse Number 2004031110**

Dear Mr. Otavka:

The County of Los Angeles appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Castaic High School. The proposal is for a new high school to accommodate up to 2600 students in the Castaic region of unincorporated Los Angeles County.

1. The Notice of Preparation (NOP) for the Castaic High School did not accurately describe the project that is presented in the DEIR. The NOP did not adequately describe the extent of the off-site infrastructure that would be needed, as well as a proposal for a County library to be shared on-site with the high school. A new NOP should be circulated to include all aspects of the project such as the high school, the joint-use library, the annexation to a definite water district, and the Northlake subdivision, which cannot be a separate project under the California Environmental Quality Act (CEQA) as discussed below. The subdivision and the high school are inextricably linked and only a single CEQA document will comply with the intent of CEQA. The County of Los Angeles reiterates its offer to prepare with the William S. Hart Union High School District a single joint CEQA document that appears to be legally required.

2. It is now very clear that the 60 acres of the proposed high school site is a needed borrow site for fill material to implement the build out of the Northlake Specific Plan. This being the case, the high school site and the Northlake residential project are a single grading project; one not being able to be completed without the other and CEQA demands that the whole of this action be analyzed as a single project. The separate environmental evaluation of the two proposed development actions is not in keeping with the intent of CEQA.

3. One of the stated objectives of the proposed high school project is to utilize the infrastructure of the Northlake Specific Plan. This can only be achieved when the two projects are each entitled since there currently is no Northlake infrastructure authorized. This stated objective is further evidence that the two development actions are a single CEQA project.

4 The mass grading described on Page 4-6 is designed to accommodate the Northlake subdivision and this design provides no consideration for a less environmentally damaging design that provides access to the proposed high school project site. This is another link between the proposed high school and the Northlake residential project that cannot be separate under CEQA. There is also no explanation provided as to why the Northlake developer would install the water, sewer and electrical infrastructure on which the high school will be totally dependent if not to accommodate the Northlake development as well. If this is the reason, then the two development projects are again a single CEQA project.

5 It is stated on Page 4-1 that there is a need for the Castaic High School to be located within the Northlake region but the statement is made without substantiation. It is agreed that the Castaic area needs a high school but from a planning perspective the proposed location is a poor selection and a more centrally located site would better benefit the community. There are no current Northlake entitlements and this residential development is likely to be the last northerly residential project to be authorized in the Castaic area. It is not clear from the DEIR why the Northlake residential project is included in the community facilities district along with the proposed high school if the subdivision is not considered to be a part of the overall project.

6 The description of the "whole of an action" is provided on Page 4-2 (Section 4.4) but this DEIR does not comply with this definition since the Northlake residential subdivision that the County is currently processing and which is completely integrated into the proposed high school development is not included as a part of the project. The Northlake subdivision could possibly stand on its own as a whole-of-an-action project but the same appears not to be true in this DEIR for the Castaic High School project. There must be a complete discussion as to why the Northlake subdivision is not fully analyzed or why it is somehow not part of the CEQA project.

7 Another admission of the link between the Northlake subdivision and the high school projects is stated on Page 5-200 with the statement "Many improvements within the Northlake Specific Plan as described above are necessary to support the high school." As such, it is questionable whether the procedure being followed by the School District could withstand legal scrutiny in the event of litigation.

Specific comments on the contents of the DEIR follow:

8 There is a complete silence in the DEIR on what approvals, if any, are needed from the County in order to implement the proposed high school project. On this basis alone, the DEIR is inadequate for the County as a responsible agency to accept for any subsequent permit requirements. The DEIR is cavalier, and probably inadequate, when there is no mention of what Los Angeles County discretionary approvals such as conditional use permits are required for the entire off-site infrastructure associated with the Northlake subdivision. Appropriate consultation with Department of Regional Planning (DRP) staff has not been requested to properly ascertain what Los Angeles County requires.

Specify the jurisdiction of the projects listed on Page 3-11 and provide the current status of each application.

9 Many of the mitigation measures presented in the DEIR do not specify who will be responsible for implementing the measures. This needs to be specifically identified, as the majority of the measures are applicable in the jurisdiction of Los Angeles County.

10 The County's Northlake Specific Plan EIR analyzed impacts only at the program level and not at the project specific level of implementing the Specific Plan. Therefore that EIR is not adequate for the High School DEIR to use for an analysis of the off-site improvements necessary to access the proposed high school site as implied on Page 4-2 (Section 4.3). It is not correct that only rough grading is needed for the circulation infrastructure to the high school because the roadway system would need to meet the County standards for road development; rough grading of roadways does not meet these County building standards. Further, the conceptual circulation plan of the Northlake Specific Plan is currently being proposed for modification through the plan amendment process in Los Angeles County, making use of the current DEIR a risky venture at this time.

11 There are no details as to the alignment of or earth works needed to provide a temporary construction road mentioned on Page 4-6 (Section 4.4.1). The DEIR text additionally provides contradictory information about the installation of permanent public streets yet does not acknowledge that final grading standards are mandatory to complete such permanent streets. The DEIR must list in Section 4.4.1 all of the improvements that are assumed to be covered by the County's Specific Plan EIR, as this is not apparent from the project description.

12 It is not clear on Page 4-5 that the County of Los Angeles Librarian was consulted in the proposed joint use of the proposed school library. It should be noted that the Northlake development agreement obligates the Northlake developer to provide a library site within the Specific Plan area and not outside the Plan area where the high school is located. It is stated in the DEIR that the County would construct the library but it should be mentioned that the Northlake development agreement requires the Northlake developer to contribute a sizeable amount (more than \$800,000) to the construction of the library.

13 There is no detailed discussion on Page 4-5 of what the "auxiliary facilities" on the up to ten acres of adjacent State controlled property are likely to be and therefore no adequate analysis is possible. The conceptual site design (Figure 4.3-1) depicts some of the proposed project on the State recreational area property but this is not consistent with the DEIR text. It seems premature to show development on the State's property when there is no agreement in place that this property will be "swapped" for some unspecified property. Again the CEQA analysis cannot be complete because the project description is not complete and it appears that the School District has prematurely prepared its environmental document ahead of the finalization of the project description.

14 It is not clear on Page 4-6 why an observatory would be an appropriate use on the school site when the development of the school is totally dependent upon a large adjacent residential housing development that will generate light pollution not currently present in the area.

15 It is stated on Page 4-6 (Section 4.4) that the high school location will be annexed to both lighting and landscape maintenance districts which are operated by the County yet there is no discussion as to how the County special assessment fees will be collected by the County for the operation of these districts.

16 It is stated on Page 4-7 that 26 million cubic yards of grading need to occur BEFORE the school construction may begin. It is not clear how much grading will ultimately be needed for this project; will it require 26.5 million cubic yards or up to 32 million as can be inferred from Page 4-7. With that quantity of earth to be moved, it would seem that the proposed site is not the correct location for a school. There is no explanation or rationalization offered as to why over 700 acres of land should be disturbed for a 60-acre school site. When ten times the amount of ground disturbance is needed to accommodate a building site, the School District officials should be questioning if this is an appropriate site for a school.

17 If relocation of the Edison power lines is not a concern for the safety of the school as stated on Page 4-7, then there appears to be absolutely no justification for this to be part of the high school project.

18 Figure 4.3-2 depicts the Ridge Route Road as being realigned yet this is not described as part of the infrastructure needed to construct the school. The realignment of the Ridge Route Road requires Los Angeles County review and approval by the Interdepartmental Engineering Committee and this is presumably a part of the Northlake subdivision application – here again another environmental link between the two development actions. The same figure depicts the relocation of an oil pipeline to State recreational property, a location that is highly speculative since the oil pipeline is clearly not a recreational use for which the State property has been designated. The oil pipeline must be relocated before a school may be built on the proposed site, indicating that the School District may have selected an inappropriate location for the school. The DEIR further states that the relocation of the pipeline is the sole responsibility of the pipeline owner but no reason is provided as to why the owner must bear the responsibility alone when it is the school project that needs the pipeline relocated.

19 The water distribution system is admitted on Page 4-11 to be completely dependent on the Northlake project, once again demonstrating the piecemeal analysis of the high school's impacts disjunct from the Northlake subdivision. The DEIR admission that the school is dependent upon the Northlake development for water infrastructure makes it impossible to know at this time of the DEIR preparation which water purveyor will provide water to the development. Section 5.16.4 addresses only the possible use of water supplied from Newhall County Water District and does not discuss potential impacts of water delivery from the conjectured use of the County Waterworks District #36. It seems to be speculative to propose a project that has no guarantee of water and insufficient land to build out the project. Even to flush the toilets at the school, assuming water can be delivered to the site, is dependent on the Northlake subdivision to deliver effluent to a wastewater treatment facility.

20 There is essentially nothing discussed on Page 4-15 of the mandatory rerouting of the oil pipeline through State recreational property and no mention of the need to annex the school site to a water district for water deliveries from either the Newhall County Water District or the Waterworks District #36.

Figure 5.1-3a shows an existing dirt road to the proposed project site yet there is no discussion of why this road cannot be improved and used or a comparison of the impacts from developing this road with the proposed impacts of the millions of cubic yards of grading needed to even reach the proposed project site.

With the many hazards acknowledged to be present in the site vicinity, it seems inappropriate for the School District to place up to 2600 students with an emergency evacuation alternative that requires passing through a residential neighborhood of 1000 houses or more before reaching a major highway. The DEIR wrongly describes vacant land as surrounding the project site although the document freely admits that a residential community of more than 1700 dwelling units must be developed on the north and west of the school site in order for the school to be constructed.

Mitigation measure 5.1-1 should include that any landscaping that is adjacent to natural habitats or open space areas should use only locally indigenous plant species. All landscape materials must be non-invasive since the project site is adjacent to natural areas. Pepper trees (*Schinus molle*), fountain grass (*Pennisetum setaceum*), and *Encelia farinosa* must be excluded from landscape consideration.

There is no such thing as a fire resistant plant as mentioned in mitigation measure 5.1-5 as all plants including succulents will burn; the correct term is fire retardant. Landscape plants adjacent to any open space areas to the east, west and south should be only locally indigenous species.

Landscape plans required in mitigation measure 5.1-7 for all off-site locations within the County jurisdiction should be appropriately reviewed and approved by the Department of Regional Planning.

The significant light impacts of the project analyzed on Pages 5-24 & 5-25 will have impacts on wildlife. A thorough analysis is mandatory for a project adjacent to a substantial area of natural open space. As a result of light impacts, the proposed stadium should be moved closer to the Northlake residential area and away from the open space wildlife habitat to the east of the proposed school site.

The proposed observatory is naively speculative since once the night lighting of the Northlake subdivision is developed, light pollution and spillover will make the observatory much less useful than the existing undeveloped condition.

The analysis of air quality impacts beginning with Page 5-42 does not address the inconsistency of the proposed school air quality impacts with the Air Quality Management Plan (AQMP). The project is not consistent (see Page 5-203) with the County land use designation of hillside management for the project site and the quantity of grading is excessive for hillside development. This implies that the project is inconsistent with the AQMP. The DEIR must demonstrate how this project is consistent with the AQMP, as is claimed, beyond the argument that the School District uses SCAG population projections.

29 The air quality analysis beginning with Page 5-43 (Section 5.3.4) is completely inadequate as the analysis completely ignores the 12 million cubic yards of "off-site" grading needed for infrastructure. This size of mass grading project is a significant impact to air quality. The mass grading cannot be ignored, as is done in this analysis, because the school cannot be constructed without it. The mitigation measures proposed to mitigate NOx and ROG impacts must be specific and not general, as presented here. It is not clear which of the mitigation measures are proposed for which impacts. There is no way to tell if the air quality analysis is complete or not because nowhere in the DEIR is it stated the extent of the grading quantity analyzed.

30 The conclusion of impacts for off-site improvements on Page 5-46 should be changed to read that air quality impacts WILL occur during site preparation and these impacts will be significant. There are inconsistencies concerning the area to be impacted as it is stated as 694 acres here, 711 acres on page 4-7 and 758 acres on page 5-57. Which figure is correct?

31 Another inconsistency occurs under the heading "Related Off-site Improvements" on Page 5-47 where it is stated that the grading is balanced on-site. Under what project description or project boundary will the 26.5 million cubic yards of grading be balanced on-site? Balanced grading cannot be true for just the high school site. This can only be true when the school and the Northlake subdivision are analyzed as a single CEQA project, as required by law, but this is not done in this DEIR.

32 The impact assessment to special status plants on Page 5-92 does not include the acreage of habitat area to be impacted. In order to appropriately assess the adequacy of mitigation measures, the amount of area to be impacted needs to be identified and an appropriate amount of replacement habitat needs to be proposed as mitigation. This applies for the mariposa lily impacts.

33 Mitigation measure 5.1-11 (page 5-25) is offered as mitigation for indirect night lighting impacts to wildlife on Page 5-93. However, this measure applies specifically to construction impacts and is therefore inadequate mitigation for operational impacts to wildlife from school lighting. An additional new mitigation measure needs to be proposed and the public must be allowed to evaluate the adequacy of the measure. With the current mitigation proposed, impacts to wildlife from light pollution should be considered to be significant.

34 The analysis of impacts to listed bird species on Page 5-96 does not include a discussion of the change in hydrology resulting from the filling of Grasshopper Canyon. Mitigation needs to be proposed that will maintain the hydrological regime that will guarantee the long-term existence of the riparian habitat upon which these species depend. The analysis of impacts to other sensitive species, for example American badger, is cursory and does not include the cumulative impacts. The County recommends that mitigation such as the presence of a wildlife biologist during construction operations be a minimum measure. Loss of wildlife habitat for these special status species is not analyzed. There is no discussion about the potential for the arroyo toad to occur on the off-site property as the species is known to occur in the Castaic Lake area.

35 Mitigation measure 5.4-1 on Page 5-98 postulates sage scrub habitat being restored on-site (the school site). This is highly unlikely to be adequate and there is insufficient area to appropriately consider the replaced vegetation to function as wildlife habitat. If the restored habitat is to be in

County jurisdiction, then the restoration program will need to be reviewed and approved by the Department of Regional Planning prior to the issuance of a grading permit.

36 Biological Resources Mitigation Measure 5.4-4 states that the riparian habitat to be replaced may be either on-site or off-site but there is no existing on-site riparian habitat on the proposed school site and no place to locate such habitat. Therefore, all riparian mitigation must be off-site to a location unspecified in the DEIR, which is speculative and left to the future, in violation of CEQA.

37 Mitigation measure 5.4-5 for the mariposa lily restoration program listed on Page 5-100 will need to be approved by DRP prior to issuance of a grading permit. This mitigation will need to be based on area of habitat impacted instead of only number of individuals impacted. The transplanting of bulbs is still considered as experimental and a viable contingency plan must be included in the program.

38 Mitigation measure 5.4-12 on Page 5-103 should include that the fuel modification plan to be reviewed by the Department of Regional Planning prior to final approval by the Fire Department.

39 There is no analysis of impacts to wildlife movement on Page 5-109 for off-site improvements, which are considered to be significant. No mitigation is proposed for these impacts.

40 The County agrees that the proposed high school project is consistent with neither the Santa Clarita Valley Area Plan nor the current zoning as concluded on Page 5-203.

41 This DEIR provides on Page 4-6 absolutely no conclusion on which water district will be supplying the high school with the vital water supply. The environmental analysis of impacts will be different based on whether Newhall County Water District or County Waterworks District #36 provides the water. There are no details of the proposed reclaimed water storage tank or how this tank may impact the use of the high school site.

42 Water service analysis on Page 5-337 (Section 5.16.4) is completely inadequate and unacceptable. The analysis is cursory and conclusions are without substantiation with facts. The Newhall County Water District (NCWD) has no valid Urban Water Management Plan yet the discussion relies on the Castaic Lake Water Agency's 2000 UWMP, which has recently been ruled to be inadequate. There are also NCWD wells that are contaminated with perchlorate and this issue is not addressed in the DEIR. The analysis assumes the presence of a water infrastructure that neither currently exists nor for which construction is authorized.

43 None of the alternatives contained in the DEIR address an attempt to lessen the impacts resulting from the needed off-site improvements. The entire alternatives analysis is flawed because it does not include a comparison of the impacts associated with the numerous off-site improvements needed to implement the proposed project. Therefore, the alternatives analysis is inadequate. Additional alternatives that should be included are a school site that excludes property within the Castaic Lake Recreation Area; could the reduced-intensity alternative achieve this? Another alternative should include an access road that does not implement the Northlake subdivision and reduces the significant impacts to air quality and biological resources. The analysis of the Hasley/Sloan alternative site does not provide a sufficient detail to understand what school

design was considered. Los Angeles County is familiar with the alternative site because the DRP is processing a subdivision of the property on behalf of the school district. The site has much less hillside topography and would require substantially less grading than the proposed project. Although there is a floodway on the property, a school design that avoids impacts to this area is feasible and the biological impacts to such a design would be less than for the proposed project. The conclusions of overall impacts of this alternative do not appear to be accurate as the traffic impacts would be the same or less than the proposed project. The final Alternative 3 Hasley/Del Valle consideration appears disingenuous, as the location does not meet many of the minimum requirements for site consideration. For example, the site contains numerous environmental hazards and the topography yields only 43 acres of useable surface area. This should not be considered as a viable alternative.

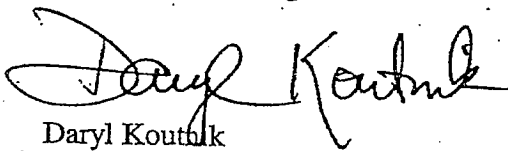
44 Finally, it is interesting to note that the individual consulted from the County of Los Angeles on planning and zoning matters as stated on Page 11-1 is a clerk and not one of the Department of Regional Planning's planning staff. Coordination with the proper County officials should have occurred early in the process.

We thank you again for the opportunity to comment on the content and adequacy of the Castaic High School DEIR.

If you have any questions, please contact Daryl Koutnik at (213) 974-6461, Monday through Thursday between 7:30 a.m. and 6:00 p.m. Our offices are closed on Fridays.

Very truly yours,

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JEH:DLK

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